IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 32384 of 2007(E)

PETITIONER:

N.O.LONAN, KUMBALATHU HOUSE,
VAYALAR P.O., CHERTHALA, ALAPPUZHA DISTRICT.
(DRIVER, RETIRED ON 30.04.2005 FROM CHERTHALA
DEPOT).

BY ADV. SRI.R.GOPALAKRISHNAN (SREEVALSAM)

RESPONDENTS:

KSRTC, REPRESENTED BY THE
MANAGING DIRECTOR, KSRTC,
THIRUVANANTHAPURAM.

BY SC ADV. SRI. K. PRABHAKARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 32384 of 2007

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Dated this the 31st day of October, 2007

JUDGMENT

Petitioner retired on 30.4.2005. He has approached this court claiming out of turn payment of the pensionary benefits for the marriage of his daughter, which is scheduled to be held on 27.12.2007.

2. Heard counsel for the respondent also. I feel that some relaxation can be given.

The writ petition is disposed of with a direction to the respondent to effect payment of the amount legally due to the petitioner by way of DCRG or Commuted Value of Pension, whichever is higher. In effecting payment, it is open to the respondent to consider whether there is any agreement executed by the petitioner in favour of any creditor. It is also open to the respondent to deduct any amount due as liability towards the Corporation. If any amounts are to be retained for meeting the liability of the petitioner under any agreement or any liability due to the Corporation, such amount need not be paid. The payment subject to the said conditions is to be made within a period of

one month from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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